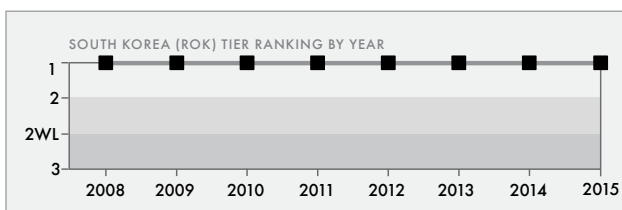


KOREA, REPUBLIC OF: Tier I

The Republic of Korea (ROK or South Korea) is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. South Korean women are subjected to forced prostitution in Korea and abroad, including in the United States, Canada, Japan, Australia, Hong Kong, Dubai, Taiwan, Macau, and Chile. South Korean women commonly enter destination countries on tourist, work, or student visas, and some are subsequently forced into prostitution in massage parlors, salons, bars, restaurants, or through internet-advertised escort services. Some victims who owe debts to entertainment establishment owners or loan sharks are then forced into prostitution. Some disabled or intellectually disabled Korean men are forced to work in salt farms where they experience verbal and physical abuse, nonpayment of wages, long work hours, and poor working and living conditions. South Korean children are vulnerable to commercial sexual exploitation through online recruitment. In need of money for living expenses and shelter, some runaway girls are subjected to prostitution.

Men and women from China, North Korea, the Philippines, Vietnam, Indonesia, and other countries in Asia, the Middle East, and South America are subjected to forced labor in South Korea; some women from these regions are subjected to forced prostitution. Migrant workers, especially those from Vietnam, China, and Indonesia, can incur thousands of dollars in debts, contributing to their vulnerability to debt bondage. Approximately 500,000 low-skilled migrant workers, many employed under the ROK government's Employment Permit System (EPS), work in the fishing, agriculture, livestock, restaurants, and manufacturing sectors. Some of these workers face conditions indicative of forced labor. Foreign women on E6-2 entertainment visas—mostly from the Philippines, China, and Kyrgyzstan—are subjected to forced prostitution in entertainment establishments near ports and U.S. military bases. Some women from China, Vietnam, Thailand, the Philippines, and Cambodia who are recruited for marriage to South Korean men through international marriage brokers are subjected to forced prostitution or forced labor after their arrival. Family members or Korean criminal networks recruit children from Southeast Asian countries with false promises of employment and subsequently force them into prostitution in South Korea. South Korean men engage in child sex tourism in Vietnam, Cambodia, Mongolia, and the Philippines. Some Korean fishing crew members engage in commercial sex with children in Kiribati. The ROK is a transit point for Southeast Asian fishermen subjected to forced labor on fishing ships bound for Fiji and other ports in the Pacific.

The Government of the Republic of Korea fully complies with the minimum standards for the elimination of trafficking. During the reporting period, the government investigated 457 reported cases linked to human trafficking, indicted 167 cases involving an unknown number of defendants, and maintained victim protection efforts. The government obtained 14 sex trafficking convictions and 53 labor trafficking convictions. The government conducted a first-ever labor trafficking prevalence survey in the agriculture and livestock sectors. The government, however, continued to narrowly define "trafficking" to lack labor trafficking victim identification guidelines, and to punish some potential victims in law enforcement operations against women in prostitution or migrant workers.



RECOMMENDATIONS FOR THE REPUBLIC OF KOREA:

Enhance efforts to investigate, prosecute, and convict traffickers under the criminal code; train law enforcement officers, prosecutors, and judicial officials to interpret "trafficking" as defined in the criminal code—not requiring kidnapping, buying and selling, force, or confinement—and to not treat victims as visa violators or willing participants in the crime; proactively investigate and prosecute South Koreans engaging in prostitution with children in Korea and abroad; proactively identify trafficking victims among vulnerable populations—including individuals arrested for prostitution, disabled Korean men, and migrant workers in all visa categories—using standard victim identification guidelines; increase monitoring and establish measures to address trafficking vulnerabilities in Korean government-issued entertainment visas, including verifying contracts and monitoring sponsoring establishments; proactively investigate allegations of government complicity in trafficking and prosecute offenders who are complicit; standardize immigration officers' application of immigration regulations to potential trafficking victims and implement efforts to monitor and detect immigration patterns of foreign women who enter South Korea on tourist visas and may be forced into prostitution; enhance consistency in judges' sentencing of traffickers, including revising sentencing guidelines on trafficking-related crimes; increase awareness of prevalence and understanding of trafficking among government officials, including at the provincial and working-level; continue to investigate and prosecute those who use forced labor on South Korean-flagged fishing vessels; decrease the rate of suspended sentences and out-of-court financial settlements in sex and labor trafficking cases; and ratify the 2000 UN TIP Protocol.

PROSECUTION

The government sustained anti-trafficking law enforcement efforts. Chapter 31 of the criminal code prohibits all forms of trafficking, and prescribes up to 15 years' imprisonment for trafficking crimes; these penalties are sufficiently stringent and commensurate with those prescribed penalties for other serious crimes, such as rape. The government continued to use the less stringent 2004 Act on the Punishment of Acts of Arranging Sexual Traffic, the Labor

Standards Act, and the Child and Youth Protect Act to prosecute and punish most trafficking offenses. The government investigated 457 reported cases linked to human trafficking. Under Chapter 31, the government prosecuted four sex trafficking cases and obtained three convictions. Under other statutes, the government indicted 163 cases, including 125 related to labor trafficking, and obtained 11 sex trafficking convictions, compared with 61 in 2013, and 53 labor trafficking convictions, compared with 11 in 2013. Most of the convicted traffickers received sentences less than three years' imprisonment, with fines and community service, but many offenders received suspended sentences in practice. Prosecutors and police officers complained of inconsistent application of immigration regulations and actual time served by those convicted. After a March 2014 case involving hundreds of disabled Korean men exploited on salt farms, the government established a special investigation team to inspect 854 salt farms in the country. The government convicted 40 owners and brokers for various violations; more than half of those received suspended sentences. A 2012 case of labor abuses on ROK-flagged fishing vessels remained pending at the end of the reporting period. The Ministry of Justice (MOJ) and National Police Agency (NPA) held a series of training courses and seminars for prosecutors, judges, and law enforcement officers on anti-trafficking issues, identification of victims, and victim protection throughout the year. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government sustained efforts to protect and assist trafficking victims. The government identified and assisted 58 foreign sex trafficking victims, compared with 36 in 2013; statistics for Korean or foreign labor trafficking victims were unavailable. Although the government established sex trafficking victim identification guidelines in 2013, many law enforcement officers reported not knowing about them, and the government continued to lack labor trafficking victim identification guidelines. The Ministry of Gender Equality and Family (MOGEF) continued to support 91 facilities that cater specifically to sex trafficking victims and victims of other crimes. The Ministry of Employment and Labor (MOEL) operated 38 foreign workers' support centers and funded NGOs that offered similar services; thousands of workers, some who were trafficking victims, received counseling, education, job training, and lodging. NPA continued to work with social workers when screening women involved in prostitution to identify and assist potential victims of trafficking. Although the law provides that trafficking victims would not be punished, women in prostitution caught during police raids or arrested migrant workers were fined, required to attend training, or deported, without being screened for indicators of trafficking. The government maintained an extensive network of support centers for foreign-born spouses and runaway teenagers, two groups vulnerable to trafficking. The government offered foreign victims legal alternatives to their removal to countries in which they may face hardship or retribution. As an incentive to encourage trafficking victims to participate in investigations and prosecutions, the government issued G-1 visas with permission to work for up to one year. Victims could file a civil suit in order to receive restitution, but it is unclear how many victims pursued this option.

PREVENTION

The government maintained efforts to prevent trafficking. In partnership with civil society, the government continued to raise

awareness on trafficking through ad campaigns—especially to commemorate the 10th anniversary of the 2004 enactment of Korea's first sex trafficking law—and through other outreach and broadcasting programs. The government conducted two surveys on human rights situations in the agriculture and livestock sectors and abuses associated with the E6-2 entertainment visas, which could help identify vulnerabilities to trafficking. The E6 visa survey highlighted the need for reforms in the issuance and monitoring of this visa category, in which some women are sexually exploited, forced into prostitution, and held under debt bondage. MOGEF continued to operate hotlines in 13 languages accessible to trafficking victims, and the Ministry of Oceans and Fisheries (MOF) continued to operate a hotline for foreign crew members. MOF trained 961 marine and ship staff on human rights protections and labor rights of foreign sailors. The government lacked a trafficking-specific national plan of action, but included proposed anti-trafficking efforts in its human rights national action plan. MOEL conducted routine inspections for violations of labor trafficking throughout the year at EPS sites. In an effort to curb the demand for commercial sex acts, NPA shut down websites and smartphone applications that promote child prostitution in Korea. South Korean men remained a source of demand for child sex tourism in Southeast Asia and the Pacific Islands, traveling primarily on travel-agency-organized golf group tours or business trips. The government continued to post warnings against child sex tourism; however, it did not prosecute or convict any Korean sex tourists. The government continued to provide anti-trafficking training to troops prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training to its diplomatic personnel. The ROK is not a party to the UN TIP Protocol but introduced a motion in its national assembly to ratify it.